

**Reprint
as at 1 November 2010**



**Auckland War Memorial Museum
Site Empowering Act 2003**

Local Act 2003 No 3
Date of assent 8 September 2003
Commencement see section 2

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

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Schedule
**Land comprising Auckland War Memorial Museum
site**

- 1 Title**
This Act is the Auckland War Memorial Museum Site Empowering Act 2003.

Part 1
Preliminary provisions

- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Purposes of Act**
The purposes of this Act are—
- (a) to repeal the Auckland Institute and Museum Site Empowering Act 1918; and
 - (b) to empower the leasing of land in the Domain to the Board and to extend the area of the Domain subject to the lease; and
 - (c) to set out the correct legal description of the land that is subject to the lease, including the extension to that area of land; and
 - (d) to validate the lease for the period of its currency to the commencement of this Act.
- 4 Interpretation**
In this Act,—
- Board** means the Auckland Museum Trust Board continued under section 3 of the Auckland War Memorial Museum Act 1996
- Corporation** has the meaning set out in section 2 of the Auckland Institute and Museum Site Empowering Act 1918

Council means the Auckland City Council and includes the Auckland Council established by section 6(1) of the Local Government (Auckland Council) Act 2009

Domain has the meaning set out in section 2 of the Auckland Domain Act 1987

lease means the lease granted by the Corporation to the Board dated 31 March 1920

Museum has the meaning set out in section 2 of the Auckland War Memorial Museum Act 1996.

Section 4: amended, on 1 November 2010, by section 113(1) of the Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37).

Part 2

Power to lease land in Domain

5 Power to lease land in Domain

- (1) Despite section 7(3) of the Auckland Domain Act 1987, the Council has the power to grant a lease to the Board in respect of the area of land described in the Schedule.
- (2) The land described in the Schedule must be used—
 - (a) exclusively as a site for the Museum; and
 - (b) on the terms and conditions, including terms as to public access to the Museum site through the Domain, that the Council considers appropriate and in the public interest; and
 - (c) at an annual rent of not more than \$2 per year.
- (3) To avoid doubt,—
 - (a) section 5 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1915 does not apply, and is deemed never to have applied, to the land described in the Schedule; and
 - (b) section 5 of the Auckland Domain Act 1987 applies in respect of the land described in the Schedule.

Part 3
**Validation, repeal, and consequential
amendment**

6 Validation of lease

The lease is deemed to be, and to have always been, as valid and effectual as if all the land that is subject to the lease had been that land described in the Schedule.

**7 Repeal of Auckland Institute and Museum Site
Empowering Act 1918**

The Auckland Institute and Museum Site Empowering Act 1918 is repealed.

8 Consequential amendment

Amendment(s) incorporated in the Act(s).

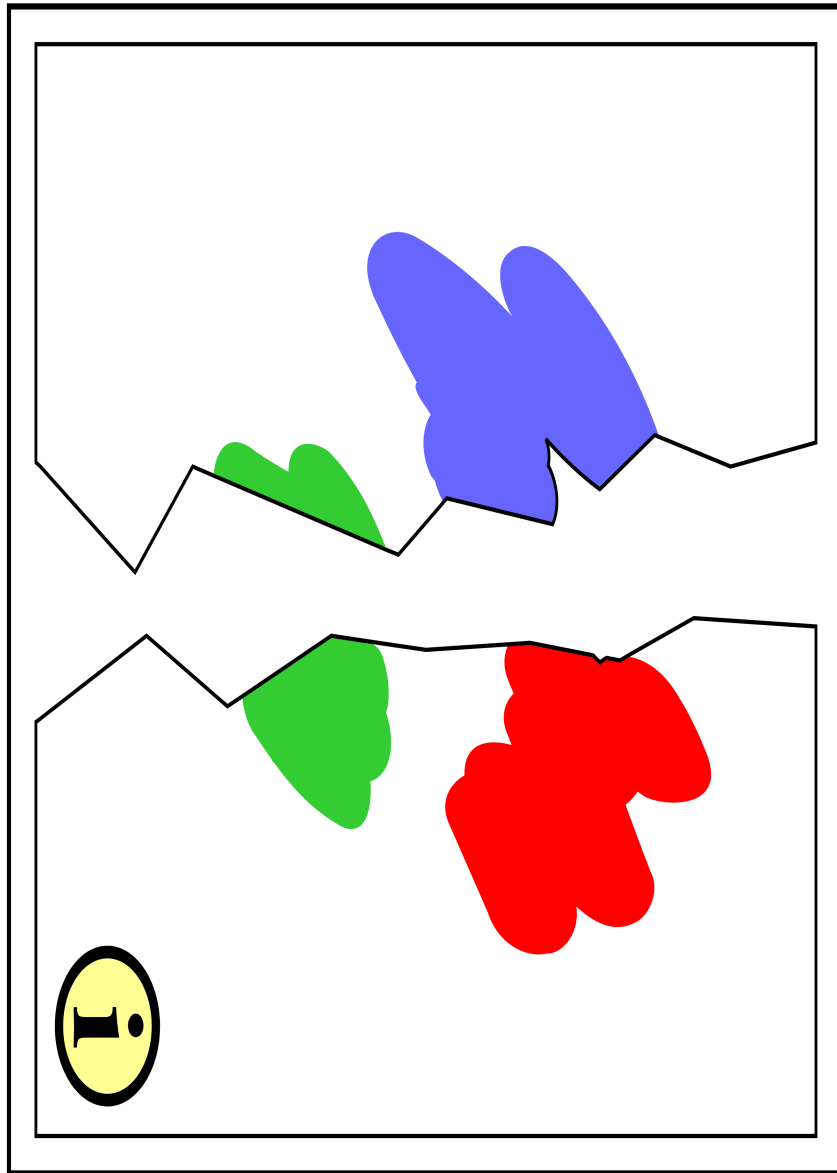
Schedule

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**Land comprising Auckland War
Memorial Museum site**

Parts of the land described in Schedule 1 of the Auckland Domain Act 1987, being the parts occupied by the Auckland War Memorial Museum building and surrounding land and being comprised in part of computer freehold register NA75C/138, being—

- (A) all that portion of land containing 1.1612 hectares, more or less, marked “Proposed Institute and Museum Site” on SO Plan 20152A and marked “Existing Lease” on SO Plan 70808 held by Land Information New Zealand; and
- (B) all that portion of land containing 1.6691 hectares, more or less, marked “A” on SO Plan 70808 held by Land Information New Zealand.



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Notes

1 *General*

This is a reprint of the Auckland War Memorial Museum Site Empowering Act 2003. The reprint incorporates all the amendments to the Act as at 1 November 2010, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37):
section 113(1)
